

(No.25 June 2016)

California peace officers have the ability to request that any records maintained by the California Department of Motor Vehicles which contain the home address of the peace officers and their spouse or children (regardless of the spouse or children's place of residence) be kept confidential. The confidentiality status can be established permanently with respect to honorably retired peace officers.

Confidentiality may also be requested by sworn uniformed employees who are not peace officers and non-sworn personnel who supervise inmates. These individuals have the ability to request that any records maintained by the California Department of Motor Vehicles which contain the home address of the eligible employee and their spouse or children (regardless of the spouse or children's place of residence) be confidential. The confidentiality status for these employees can be established for the term of employment and to continue for three (3) years following termination of employment, reassignment from the Conservation Camp back to the field, or by termination as outlined in statute listed below.

This authority is provided in Vehicle Code § 1808.4, which reads, in pertinent part:

1808.4(a) For all of the following persons, his or her home address that appears in a record of the department is confidential if the person requests the confidentiality of that information:

- (11) An active or retired peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code.
- (13) A nonsworn employee of a city police department, a county sheriff's office, the Department of the California Highway Patrol, a federal, state, or local detention facility, or a local juvenile hall, camp, ranch, or home, who submits agency verification that, in the normal course of his or her employment, he or she controls or supervises inmates or is required to have a prisoner in his or her care or custody.
- (24) (A) The spouse or child of a person listed in paragraphs (1) to (23), inclusive, regardless of the spouse's or child's place of residence.
 - (B) The surviving spouse or child of a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, if the peace officer died in the line of duty.
 - (C) (i) Subparagraphs (A) and (B) shall not apply if the person listed in those subparagraphs was convicted of a crime and is on active parole or probation.

- (ii) For requests made on or after January 1, 2011, the person requesting confidentiality for their spouse or child listed in subparagraph (A) or (B) shall declare, at the time of the request for confidentiality, whether the spouse or child has been convicted of a crime and is on active parole or probation.
- (iii) Neither the listed person's employer nor the department shall be required to verify, or be responsible for verifying, that a person listed in subparagraph (A) or (B) was convicted of a crime and is on active parole or probation.

1808.4(c)(2) Following termination of office or employment, a confidential home address shall be withheld from public inspection for three years, unless the termination is the result of conviction of a criminal offense. If the termination or separation is the result of the filing of a criminal complaint, a confidential home address shall be withheld from public inspection during the time in which the terminated individual may file an appeal from termination, while an appeal from termination is ongoing, and until the appeal process is exhausted, after which confidentiality shall be at the discretion of the employing agency if the termination or separation is upheld. Upon reinstatement to an office or employment, the protections of this sections are available.

- (3) With respect to a retired peace officer, his or her home address shall be withheld from public inspection permanently upon request of confidentiality at the time the information would otherwise be opened. The home address of the surviving spouse or child listed in subparagraph (B) of paragraph (24) of subdivision (a) shall be withheld from public inspection for three years following the death of the peace officer.
- (4) The department shall inform a person who requests a confidential home address what agency the individual whose address was requested is employed by or the court at which the judge or court commissioner presides.

PROCEDURE

9484.1

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To obtain confidential status, an original DMV Form INV 32 must be submitted. This form shall be obtained from the Region Law Enforcement Coordinator or the Deputy Chief of Law Enforcement in Sacramento Headquarters for Sacramento Programs. This is a controlled document and cannot be duplicated for submission. DMV will reject all reproduced forms. The form can be used for single or multiple requests for an individual(s), license number(s), or vehicle(s). Fill out sections 1, 2, 3, 4 and 5, as appropriate.

Section 3. Qualifying Employee Information: Use only subsection A. State of California and mark box "N" Forestry. This applies for all Schedule "A" employees, Schedule "B" employees, non-sworn camp employees, and any other agency employees who have been appointed a Peace Officer by the Director under Penal Code § 830.2, 830.37, or by the State Fire Marshal under 830.3. DO NOT MARK ANY BOX IN SECTION 5. B., 5. C., OR 5. D.

Section 4. Employment Verification Information: The Department of Motor Vehicles has designated four positions within CAL FIRE to have authority to sign the Form INV 32. Those positions are: Deputy Chief - Law Enforcement in Sacramento, Deputy Chief Law Enforcement / Fire Prevention in CNR, Deputy Chief Law Enforcement / Fire Prevention in CSR, and Staff Chief of Law Enforcement, Sacramento Headquarters

Section 5. Certification: The employee requesting confidentiality is to date, sign, enter in Job Title/Classification, Badge Number and telephone number. NOTE: With Job Title/Classification, the statement "Peace Officer" or "Non-Peace Officer" must be included. DMV will reject any INV 32 that does not have one of these statements included with the Job Title/Classification. Only sworn peace officers can show the wording "Peace Officer." **NOTE: "Public Officers" appointed under Penal Code § 830.7 ARE NOT ELIGIBLE for confidential status under Vehicle Code § 1808.4.**

Upon completion of the INV 32, submit the form to the Region Law Enforcement Deputy Chief for review and approval, or Sacramento office Law Enforcement, if assigned to the Sacramento offices of CAL FIRE, for signature in the Employment Verification Information block. The form will then be sent to Sacramento Law Enforcement Program for submittal to DMV Confidential Unit and a copy made and placed on file with the Law Enforcement Program.

REQUIRED DOCUMENTS

9484.2

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When submitting the INV 32s there will be a check off sheet to accompany the required information and documents.

All CAL FIRE personnel who meet the criteria for confidentiality status, INV 32, shall submit a copy of the vehicle registration and driver's licenses of those vehicles and persons on the INV 32 for verification.

Non-Peace Officers must submit verification on Department letterhead signed by the Camp Division Chief as outlined in 9484.3

A copy of the vehicle registration of those vehicles listed on the INV 32 as well as the driver's license will accompany the INV 32 to the designated approver. Once verified, a copy of the INV 32 along with the copies of the driver's license and registration will remain at Region and the original INV 32 will be sent to Program for submittal to DMV and yellow copies filed as outlined in DMV requirements.

CAMP DIVISION CHIEF'S RESPONSIBILITY

9884.3

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Camp personnel must submit verification on Department letterhead signed by the Camp Division Chief, that the named employee does, in the normal course of his or her employment, control or supervise inmates. This verification letter must accompany the white copy of the Form INV 32 to DMV. The Camp Division Chief is also responsible for the submission of a Form INV 32, checking one of the appropriate blocks of section 2, Add/Deletion, for each of the camp's CAL FIRE employees who depart the conservation camp program. The date entered in the following "Effective Date _____" line will begin the three- year count for the end of confidentiality. This will then be forwarded to the Unit Law Enforcement Prevention Bureau, then to the Region Law Enforcement Deputy Chief. Once reviewed by the Region Law Enforcement Deputy Chief the form will be forward to Sacramento Law Enforcement Program to submit to DMV. The Camp Division Chief shall submit an annual report of the INV 32s for his or her respective employees assigned to the camp to the Unit Bureau Chief as outlined in 9484.4.

ANNUAL AUDITS

9484.4

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Region Law Enforcement will ensure that annual audits by the units will be conducted for accuracy of the INV 32s. The units shall submit an annual report from the camps, as outlined in 9484.3, as well as from the Unit Law Enforcement Bureau. Once completed, the report will be routed through Region Law Enforcement / Fire Prevention to Sacramento Law Enforcement Program. This annual report will be reviewed by the Law Enforcement Program and Camp Program at the first of the year.

CAMP REVIEW

9484.5

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The review of the INV 32s at the camp will also be conducted during the Camp Reviews by program. These reviews will ensure that the camps, units, and programs are maintaining the required information as set forth in the Vehicle Code and the Department policies. This will also reduce the impact of unauthorized approval of confidential status of our employees and their families.

[\(see next section\)](#)

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[\(see Forms and Form Samples\)](#)